13th COSCOM
Equal Opportunity Seminar

RELIGIOUS ACCOMMODATION

CH (LTC) Al Lowe
Deputy COSCOM Chaplain

RELIGIOUS ACCOMMODATION TERMINAL LEARNING OBJECTIVE

- **At the end of this presentation, the Leader will understand policies and be capable of addressing issues concerning Religious Accommodation**

RELIGIOUS ACCOMMODATION
Agenda

- **Definition of Religious Accommodation**
- **Elements of discrimination**
- **Religious practices**
- **Prevention of Religious Discrimination**

RELIGIOUS ACCOMMODATION

- **RELIGIOUS DISCRIMINATION**
  - **Definition: Any action, intended or unintended, that unlawfully or unjustly results in unequal treatment of persons or groups based on religion and which distinctions are not supported by legal or rational considerations.**

RELIGIOUS ACCOMMODATION

- **Elements of Religious Discrimination:**
  - **Religious jokes, slurs**
  - **Compulsory services**
  - **Exclusionary prayer**
  - **Avoidance, stereotyping, lack of concern**
  - **Discounting religious beliefs of others**
  - **Not making arrangements to provide alternate services.**

RELIGIOUS ACCOMMODATION

- **DOD Policy on Freedom of Religious Practices**
  - **Laws and regulations**
  - **Title VII of Civil Rights Act of 1964**
  - **DOD Directive 1300.17**
  - **AR 600.20**

RELIGIOUS ACCOMMODATION

- **Title VII of the Civil Rights Act of 1964 prohibits employment discrimination based on religion.**
- **1972 Congressional Amendment – "unless employers can demonstrate that they are unable to reasonably accommodate… without undue hardship on conduct of employee's business."**

RELIGIOUS ACCOMMODATION

- **Federal courts have maintained that Commanders and military regulations can have greater authority than individual rights and conscience when the military mission is involved.**

RELIGIOUS ACCOMMODATION

- **Reference:**
  - **Parker v. Levy (1974)**
  - **United States v. Seeger (1965)**
  - **Anderson v. Laird (1972)**
  - **Goldman v. Weinberger (1986)**

RELIGIOUS ACCOMMODATION

- **DOD Directive 1300.17**
  - **Places high value on rights of service members to observe the tenets of their respective religion.**
  - **Policy is that Commanders should accommodate religious practices when not have adverse impact on mission readiness, safety, unit cohesion or discipline.**

RELIGIOUS ACCOMMODATION

- **Army Regulation 600-20**
  - **Army policy to approve requests for accommodation of religious practices when they will not have an adverse impact on discipline, or otherwise interfere with the performance of the soldier's military duty.**
  - **However, accommodation of a soldier's religious practices cannot be guaranteed at all times.**

RELIGIOUS ACCOMMODATION

- **Religious practices that can conflict with military duties:**
  - **Rituals**
  - **Dress & Appearance**
  - **Diet**
  - **Medicine**

RELIGIOUS ACCOMMODATION

- **Impact on Unit Mission**
- **Impact on the individual**

RELIGIOUS ACCOMMODATION

- **Strategies for Reducing or Preventing Religious Discrimination**
  - **Ensure Awareness**
  - **Inform the Chain of Command**
  - **Suggest a compromise**
  - **Help Chain of Command understand**
  - **Stress the importance of faith**

RELIGIOUS ACCOMMODATION

- **When requesting religious accommodation:**
  - **Religious group affiliation**
  - **Leader or members of the group**
  - **Persons with knowledge of religious practices**
  - **Type of accommodation requested**
  - **Accommodation is only for current unit or Commander**
  - **Statement by chaplain**

RELIGIOUS ACCOMMODATION

- **Summary:**
  - **Presented definition**
  - **Provided regulations and laws**
  - **Discussed elements of discrimination**
  - **Discussed religious practices**
  - **Discussed prevention of religious discrimination**
  - **Discussed providing for religious accommodation**

RELIGIOUS ACCOMMODATION

- **What are your questions concerning this presentation on Religious Accommodation?**